

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THE UNITED STATES OF AMERICA

v.

HENRY SYLVAIN GINDT II,

Magistrate No.  
[UNDER SEAL]

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Chase A. Clowser, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the United States Secret Service. I have been employed as a Special Agent since September, 2018. I have completed the Criminal Investigator Training at the United States Secret Service James J. Rowley Training Center. I received training in Financial Crimes, Electronic Crimes, Fraud, and Criminal Investigations. Prior to working as a Special Agent, I was a United States Secret Service Uniformed Division Officer for nine years. As a federal law enforcement officer, I am authorized to investigate violations of laws of the United States, including the crimes outlined herein, and am a law enforcement officer with the authority to execute warrants issued under the authority of the United States.

2. Because this affidavit is submitted for the limited purpose of establishing probable cause to believe that Henry Sylvain Gindt II has committed the offenses charged in the complaint, it does not include every fact known to me in connection with this investigation.

3. As set forth in full below, Henry Sylvain Gindt II is believed to be currently residing in the State of New York. Gindt II maintains several online profiles, including one at [www.medium.com](http://www.medium.com), where he identifies himself as a White House official and “Founder of telemedicine and personalized nutrition, wellness and DNA genetics testing company [www.YouHealth.me](http://www.YouHealth.me).” Gindt is being investigated for using the interstate wires and commercial carriers to sell COVID-19 testing services using stolen test kits used to collect

samples and falsely and fraudulently misrepresenting that he was affiliated with a certified lab that would test the samples and provide results. The test kits (the nasal swabs used for collection and packaging to send to the lab) were sent to consumers with a request to complete a medical questionnaire to screen for COVID-19 symptoms only after purchase of the testing service. Gindt II sent the test kits to consumers via FedEx Overnight using the FedEx account in the name of an entity known to this agent hereinafter called “Lab” and an individual known as T. A.

4. On March 31, 2020, The United States Secret Service Cyber Fraud Task Force received an email referral from the United States Attorney’s Office for the Western District of Pennsylvania COVID19 Task Force. The referral included an email received by a person known as M.G. in his or her Gmail account via a computer in M.G.’s residence that is located in the Western District of Pennsylvania. The email was sent from [henry.gindt@youhealth.me](mailto:henry.gindt@youhealth.me) and was advertising the sale of at-home COVID19 test kits. The email alleges “You can now order COVID-19 coronavirus at-home test kits which you will receive in the mail in under a week. You will receive a test kit in the mail from our lab partner with detailed instructions on how to mail your oral or nasal swab specimen directly to the lab.” Below this message, is a clickable box that says “order test kit.”

5. Your Affiant examined the contents of this email and found the “order test kit” link directs you to the website <https://youhealth.shop/products/covid-19-test>. Your Affiant visited this website to validate the email’s claims. According to the website, it advertises the test kits as “COVID-19 Test Kit. Doctor-administered and self-administered test-kits.” On the same page, it displays images of what appears to be a symbol of the coronavirus, a test kit, and an example of lab results. Next to the pictures, there is the option to “add to cart” or “buy now” for 195.00 USD.

6. Under the purchasing options, the website says “YouHealth has the capacity to run 3,000 tests per day through its lab partners (more capacity expected soon through partnerships with additional labs).”

7. On April 1, 2020, your Affiant attempted to purchase a test kit from YouHealth via their website [www.youhealth.shop](http://www.youhealth.shop). Due to issues completing the order, your Affiant called the YouHealth customer service number of 415-589-9011. An individual identifying himself as Henry Gindt answered the phone. Your Affiant explained to Gindt that your Affiant was able to check out, but couldn’t finalize the payment for the order. He advised to try checking out at a later date or use another Internet browser. When asked about where the tests will be processed, Gindt said they are sent to a lab in Georgia, hereinafter identified as “Lab” for analysis and that his father, Dr. Henry Gindt, would examine the results. No purchase was made at this time.

8. On April 2, 2020, from an electronic device in the Western District of Pennsylvania, your Affiant was successful in purchasing a COVID-19 at-home test kit from YouHealth’s website for 195.00 USD. Your Affiant received an email notification from YouHealth confirming my order, Order #1008, and shipping information.

9. Your Affiant paid for the test kit with a PNC Bank account debit card. The PNC transaction showed that payment was sent to YouHealth Inc. PNC Bank investigators confirmed that the payment was made to a BBVA bank account.

10. On April 3, 2020, your Affiant received the test kit in a FedEx envelope from Lab and not YouHealth. The envelope listed a return address for Lab as 3235 Satellite Blvd, Bldg. 400, Duluth, GA 30096. The envelope included an “eSwab” medical test kit that contained a cotton swab and a plastic tube, Lab instructions on administering the nasopharyngeal swab to collect a sample, and a lab test form.

11. Also provided was a pre-paid FedEx envelope in which to send the kit back to Lab, 5009 Roswell Rd, Atlanta, GA 30342. It should be noted that the return address on the pre-paid label makes it appear that the envelope is being sent back to Labs' Roswell Road address from the Lab's address at 3235 Satellite Blvd, Bldg. 400, Duluth, GA 30096. Your Affiant contacted FedEx who provided that the FedEx shipping account is registered to Lab, 3235 Satellite Blvd, Building 400, Duluth, GA 30096, with T. A. listed as an account manager. This account has been active since June 17, 2019.

12. FedEx confirmed the package was shipped from a FedEx Office location at 641 Lexington Ave., New York, New York 10022, which is 1.4 miles from the listed business address of YouHealth (118 Madison Avenue, New York, NY 10016). The YouHealth website also lists a second main business location at 9515 Ledgewood Ct., Fort Wayne, IN 46804. A Google Maps search shows the New York address to be the Academy House, which appears to be student housing for the American Academy of Dramatic Arts. The Indiana office appears to be a single family residence (possibly a residence of Henry Gindt). In the original email from Henry Gindt, an address for YouHealth is listed at 400 N Main Ave, Sioux Falls, SD. A Google Maps search shows the address at a general office building with no YouHealth insignia.

13. On April 8, 2020, your Affiant reviewed the form to be sent back to Lab and contacted them for assistance in completing the form. An employee inquired about how your Affiant came to be in possession of one of their test kits, and appeared to be caught off guard by the response. The employee advised someone would call back. However, after a short time without a response, your Affiant called Lab back and identified that your Affiant was a Special Agent with the United States Secret Service, and was the original caller. Your Affiant was transferred to Chief Operating Officer (COO) who requested a conference call that included Lab's board members.

14. During this call, Lab's board members were adamant that Lab has no affiliation with YouHealth or its employees. Additionally, Lab indicated they had considered selling at-home test kits briefly, but ultimately decided against it. Your Affiant asked about the test kit received and if this was in fact their kit. Lab advised they would attempt to verify if the kit was theirs, and stated that they do not process or administer COVID-19 tests outside the State of Georgia. Lab CEO A.B. alleged that Lab discovered T. A. had been selling Lab test kits without their authorization, for which T. A. was terminated. A. B. added that T. A. had left the company with approximately fifty test kits without authorization. To that end, Lab advised they received an email purportedly from YouHealth stating that YouHealth had purchased fifty test kits from T. A. for \$7,500.00 USD.

15. Your Affiant provided Lab with pictures of the received test kit (with Lot Number) and accompanying documents for comparison with Lab's inventory. It was later confirmed, upon receipt of an email on April 15, 2020, that the purchased test kit was of like kind that would have come from Lab's inventory. In the email from Lab counsel, counsel stated that "We can confirm that they appear to be documents or things that come from our stock and resemble our documents." Counsel added that the release this inventory would have required authorization and that T. A. never requested, nor received, authorization to remove those kits from Lab.

16. An Internet search for Lab and T. A. revealed multiple articles discussing the sale of their newly developed at-home test kit for COVID-19. A March 18, 2020 article posted at [www.kjrh.com](http://www.kjrh.com), entitled "Coronavirus In-home Test Kits Could Be Available", identifies T. A. as the COO of Lab. In this article, T. A. explains that his lab intends to send out 7500 kits, with an additional 5000 kits the following week to include residents outside the State of Georgia (in contrast to Lab's April 8, 2020, statement that it only processes tests from within Georgia).

17. Another article dated March 19, 2020, posted on [www.wrcbtv.com](http://www.wrcbtv.com) focuses on YouHealth's affiliation with Lab and their ability to process 3000 tests per day.

18. A database search of business records shows Lab was incorporated within the State of Delaware on February 2, 2019, and lists R. B. as the registered agent. Lab was registered to do business in the State of Georgia on January 23, 2020. The corporate office is listed as 12460 Crabapple Rd STE 202-308, Alpharetta, GA. A Google Maps search shows this address as a UPS store located in a shopping plaza. It should be noted that UPS stores offer the purchase of personal mail boxes that offer physical street addresses to purchasers, similar to the 12460 Crabapple address above.

19. A database search for business records shows A. B. as the registered agent for forty businesses, with A. B listing the 12460 Crabapple address on several recent filings.

20. Communication with BB&T Bank investigators was made. A review of BB&T bank records provided identified two bank accounts in the name of Lab, with one being designated as a deposit account. On both accounts the listed business address is the same 12460 Crabapple Rd address, which as previously stated is a UPS store. The records also identified a BB&T Bank account in the name of TLA 5009 Labs which is owned by T. A. The "TLA" appears to refer to T. A. The "5009" appears to refer to the street number of the current Lab's business address at 5009 Roswell Rd, Sandy Springs, GA.

21. A further review of the BB&T Bank records also show a connection between T. A and Lab based upon direct deposit payments dated March 13 and March 27, 2020, from Lab made into T. A's account listed as "Payroll ... Labs."

22. On April 9, 2020, lab's counsel forwarded a copy of an email between A. B. ([alan@...labs.com](mailto:alan@...labs.com)) and T. A. ([tim@tlalabpartners.com](mailto:tim@tlalabpartners.com)) wherein the two discuss an additional

website identified by Lab during the April 7, 2020 phone call that was set up by T. A. to sell at-home test kits:

**From:** [T. A.]

**Date:** April 9, 2020 at 4:47:38 PM EDT

**To:** [A. B.]

**Subject:** Confirmationtest.com

[A. B.],

Confirmation test.com was set up when you made the decision not to do send out anymore tests direct to the consumer. You were aware and you were going to give me a cost for those tests. Once you told me your costs were around \$80 than I decided to use other labs. I didn't even realize the site was still up. I had it taken down when you brought it to my attention.

I am not selling direct to the consumer and there are no others. I have made it clear to everyone that I have no affiliation with [Lab].

[T. A.]

561 612 9848

tim@tlalabpartners.com

As seen in the email above, T. A. referenced Lab's "decision not to do send out anymore tests direct to the consumer" as the reason T. A. set up "Confirmation test.com." Furthermore, T. A. appears to reference his willingness to utilize Lab for the testing, but that T. A. appeared to be dissatisfied when A. B. advised that a cost for the tests would be "around \$80."

23. On April 14, 2020, FedEx advised they identified five packages shipped, including the one to your Affiant, utilizing the Lab's FedEx account that matched a similar pattern, wherein the packages were shipped to the intended recipient from a FedEx location in New York, New York between March 24, 2020 and April 2, 2020, even though Lab does not appear to conduct business operations in the State of New York. Additionally, FedEx provided a .pdf file that contained, among other things, the IP Address information related to logging into FedEx's website

to conduct tracking of packages. Of note, an IP address of **207.38.227.99** is registered to RCN Corporation, an Internet, Cable TV and Phone provider based in Princeton, New Jersey.

24. On April 14, 2020, your Affiant reviewed the video surveillance provided by FedEx in response to a Grand Jury Subpoena which showed an individual that appears to be Henry Gindt as the person shipping out the FedEx package from the New York location. A comparison was made between a captured image from the video surveillance, Henry Gindt's YouHealth.shop website profile image, and a Facebook profile image for Henry Gindt. The person in all of the images appears to be the same person.

25. A review of the numerous business addresses for multi-unit buildings used by T. A., Henry Gindt, Lab, and YouHealth shows they each lack specificity with respect to a unit, suite, or room number at any of the locations. For example, the 3235 Satellite Blvd., Bldg. 400, Duluth, GA used on the FedEx account does not list a suite number, even though the building is a multi-unit, multi-level office building that does not appear to have any affiliation with YouHealth. Also, the listed New York business address for YouHealth is a multi-unit, multi-level student housing building. It appears that Gindt previously resided at this address in 2009 and resided in Unit #7. However, the unit number is not listed on YouHealth's website. It should be noted again that the YouHealth.shop website was not registered until January 14, 2020.

26. Based upon your Affiant's training and experience, and consultation with other law enforcement, this activity is consistent with individuals or businesses utilizing fictitious or incomplete mailing addresses to conduct nefarious activities and to anonymize their locations.

27. On April 16, 2020, Special Agent William Powe, United States Secret Service, Atlanta Field Office, conducted a walkthrough of the entire building located at 3235 Satellite



Blvd., Bldg. 400, Duluth, GA, and confirmed that there are no businesses within the building for Lab. SA Powe also confirmed there is no signage or marquis with the name Lab on it.

28. Continuing on April 16, 2020, Postal Inspector Randy Hayden of the United States Postal Inspection Service, Pittsburgh, Pennsylvania, conducted telephonic interviews of four individuals who confirmed that they placed an order for a test kit on YouHealth's website and that they subsequently received test kits from Lab after placing their respective orders online.

29. Inspector Hayden conducted a telephonic interview of C.L and Y.J., residents of Chicago, Illinois. C.L. and Y.J. revealed that they were referred to the YouHealth website by an Instagram post that mentioned a coronavirus test kit that contained a link to the YouHealth website. Y.J. advised they received two emails from YouHealth. One email confirmed the order was in process and the other provided the medical questionnaire to be completed by Y.J., which Y.J. stated was never completed or sent back to YouHealth. Y.J. confirmed receipt of the test kit via a FedEx overnight envelope sent from Lab, "5009 Roswell Road, Atlanta, Georgia 30342" with a listed phone number of "561-612-9848." It should be noted that this phone number has been identified as belonging to T. A. and one that T. A. lists in his email noted above.

30. Inspector Hayden conducted a telephonic interview of M.F., a resident of Park Ridge, Illinois. M.F. stated that after not feeling well in February of 2020, M.F. was referred to the YouHealth website by a coworker and successfully purchased a test kit for \$200.00. M.F. remembers needing to complete a medical questionnaire prior to ordering the test kit. M.F. further remembers the name Henry Gindt as being associated with the transaction for the test kit. M.F. received an email from [info@youthealth.shop](mailto:info@youthealth.shop) indicating Order #1005 was being shipped. M.F. provided photographs of the shipping label which confirmed that it was shipped via a FedEx overnight envelope sent from Lab, "5009 Roswell Road, Atlanta, Georgia 30342." M.F. further

confirmed that shipping address of where to return the test kit is the same address. M.F. advised that the credit card transaction for the test kit fee was sent to YouHealth, Inc. Sioux Falls, SD.

31. Inspector Hayden conducted a telephonic interview of A.S., a resident of Texas. A.S. purchased a coronavirus test kit from the YouHealth website after being denied a test at a local hospital, even though A.S. had symptoms consistent with the virus. A.S. advised that a sibling made reference to the YouHealth website and that A.S. successfully purchased a test kit, Order #1006, for \$200.00. A.S. received the medical questionnaire via email from [henry.gindt@youthealth.com](mailto:henry.gindt@youthealth.com). A.S. received the test kit via a FedEx overnight envelope.

32. A.S. requested assistance from a sibling who is a nurse to conduct the test and sent the test back to Lab at the “5009 Roswell Road, Atlanta, Georgia 30342” address included on the pre-paid return label. At some point, A.S. was notified that the test kit sent in was damaged during shipment and that the lab offered a replacement kit to be sent out if A.S. wished. A.S. requested a refund instead of a new kit. A.S. has not yet received a refund.

33. The information provided from A.S. to Inspector Hayden confirmed an email on March 21, 2020 from [henry.gindt@youhealth.me](mailto:henry.gindt@youhealth.me) that contained the link to the questionnaire. The information also provided that YouHealth staff could be reached at “415-589-9011,” a number belonging to Henry Gindt. It also provided the main office locations previously mentioned in New York, NY and Fort Wayne, IN.

34. Inspector Hayden conducted a telephonic interview of R.S., a resident of New York, NY. R.S. conducted an Internet search for a test kit because a family member had symptoms possibly related to the coronavirus. The search returned the website information for YouHealth.shop, and R.S. successfully purchased a test kit, Order #1007, for \$135.00. R.S. received an email from [info@youhealth.shop](mailto:info@youhealth.shop) confirming the order, and received another email

from [no-reply@amazon.com](mailto:no-reply@amazon.com) confirming the payment was made using Amazon Pay to “YouHealth Inc.” and [henry.gindt@youhealth.me](mailto:henry.gindt@youhealth.me). R.S. received an email from [henry.gindt@youhealth.me](mailto:henry.gindt@youhealth.me) on March 23, 2020, with a request to complete the medical questionnaire. R.S. completed the questionnaire and sent it back. An email was received from [info@youhealth.shop](mailto:info@youhealth.shop) confirming shipment and provided R.S. with a FedEx tracking number. R.S. received the test kit but never sent it in for testing because the cough dissipated.

35. On April 17, 2020, a records search was conducted on the State of South Dakota Secretary of State website for “YouHealth, Inc,” which returned a result showing that YouHealth, Inc. filed for incorporation status on January 9, 2020, and listed the same 400 N. Main Avenue, Suite 206, Sioux Falls, SD business address. The Articles of Incorporation show Henry Gindt, 9515 Ledgewood Ct., Fort Wayne, IN 46814 as the only incorporator and the founder. It also lists “Henry Gindt” and “Henry Gindt MD” as the directors, each with the same Ledgewood Ct. address.

36. Your Affiant submits that, based on the foregoing, there is probable cause to believe that, in the Western District of Pennsylvania, Henry Sylvain Gindt II has committed fraud in violation of 18 U.S.C. § 1341 (Mail Fraud) and 18 U.S.C. § 1343 (Wire Fraud), as well as conspired to commit those offenses in violation of 18 U.S.C. § 371.

The above information is true and correct to the best of my knowledge, information and belief.

Respectfully submitted,

s/ Chase A. Clowser  
Chase A. Clowser, Special Agent  
United States Secret Service

Sworn and subscribed before me,  
This 4<sup>th</sup> day of May, 2020



HONORABLE LISA PUPO LENUHAN  
United States Magistrate Judge